IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12696 of 2005

Between:

Seru Naguru S/o.Ramaiah
R/o.Mollagunta Village Repalle Mandal, Guntur District.

..... PETITIONER

AND

1 The District Collector, Guntur Guntur District.
2 The District Panchayat Officer Guntur Guntur District.
3 The Divisional Panchayat Officer Tenali, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus to set aside the impugned proceedings of the 2nd respondent Vide Roc.No.5605/2003-G7 dt.27.4.2005 subsequently to direct the respondents to provide cheque power to the petitioner and pass such other order or orders.

Counsel for the Petitioner: MR.K.RAMA KOTESWARA RAO

Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

ORDER:

Heard both sides.

In this Writ Petition, petitioner is seeking a Writ of Mandamus, to set aside the impugned proceedings of the second respondent vide Roc.No. 6505/2003-G7 dated 27.4.2005 and subsequently direct the respondents to provide cheque power to the petitioner.

It is brought to the notice of this court that against the order of the District Panchayat Officer, Guntur, Guntur District, dated 27.4.2005, an appeal is provided to the District Collector, Guntur and the petitioner without availing the alternative remedy provided under the Rules, straightaway approached this court.

Considering the facts and circumstances of the case and after going through the provisions of law under Sub-Rule (2) of Rule 42 of the Rules issued in G.O.Ms.No.30 (PR & RD) dated 20.1.1995, against the order of District Panchayat Officer, Guntur, Guntur District, an appeal is provided to the District Collector, Guntur. Hence, this petition fails and it is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

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E. DHARMA RAO, J

DATED: 16/06/2005

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To

1 The District Collector, Guntur Guntur District.
2 The District Panchayat Officer Guntur Guntur District.
3 The Divisional Panchayat Officer Tenali, Guntur District.

4. Two CCs to G.P. for Panchayat Raj and Rural Development, High Court of A.P., Hyderabad (OUT)

5. Two CD copies.